

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 21, 2002

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,
Deputy Clerk.

Each of the following:

B104284 People v. James
B117224/B155091 People v. Gamez
B147381 People v. Scott
B147422 People v. Nelson
B147593 People v. Kevin D.
B147676 People v. Acuna et al
B148909 People v. Tinoco et al.
B149342 People v. Montanez
B149776 People v. Mui
B150033 People v. Jose A.
B150347 People v. Tsou et al.
B150675 People v. Trotter
B150787 People v. Jimenez
B151317 People v. Medrano
B151409 People v. Lopez
B151923 People v. McClendon
B152058 Kravitz v. Milner
B152857 People v. Norris
B152862 People v. Rios et al.
B153076 People v. Barrios
B153472 People v. Hairston-Boyd
B154150 People v. Crutcher
B154277 People v. Miranda
B156411 Athena H. SCLA (DCFS, rpi)
B157217 Benjamin C. v. SCLA (DCFS, rpi)

Argument waived, cause submitted.

DIVISION ONE (Continued)

B152662 Hudson et al.
 v.
 Perkins

Appearances:
George Holloway appeared for respondent and waived argument.
Appellants previously waived argument. Cause submitted.

B155310 City of Los Angeles
 v.
 Superior Court, Los Angeles County
 (Killingsworth, r.p.i.)

Merits:
Argued by Kim R. Westhoff for petitioner. No appearance for real party in interest. Cause submitted.

B144930 The Committee to Save the Beverly Highlands Homes Association et al.
 v.
 The Beverly Highlands Homes Association et al.

Appearances:
Allan Wilion for respondent Decaen for respondent and by Niel Gunny for appellants The Beverly Highlands, et al. In open court, counsel submit copy of stipulated reversal. Document deemed filed. Argument waived, cause submitted.

DIVISION ONE (Continued)

B146970 Brown
 v.
 Song

Merits:
Argued by William D. Beck for appellant and by Barbara M. Reardon for respondent. Cause submitted.

B149400 People
 v.
 Williams

Appearances:
Erika D. Jackson, deputy attorney general, appeared for respondent and appellant previously waives argument. Argument waived, cause submitted.

B149089 People
 v.
 American Surety Co.

Merits:
Argued by Juliet Schmidt, deputy district attorney, for respondent. Appellant previously waived argument. Cause submitted.

B146607 Johnson
 v.
 Smart & Final Stores Corp.

Merits:
Argued by James Lehr for respondent. Appellant previously waived argument. Cause submitted.

B144776 Shalant et al.
 v.
 Dolin

Merits:
Argued by Brian A. Yapko for appellants and by Frank Revere for respondent. Cause submitted.

DIVISION ONE (Continued)

Ortega, J. leaves the bench.

B149531 Hanson
 v.
 Grode et al.

Merits:

Argued by John Dodd for appellant, by Barbara M. Reardon for respondent Grode and by Tobie B. Waxman for respondent Pashman. Cause submitted.

Ortega, J. returns to the bench.

Mallano, J. leaves the bench.

B147008 People
 v.
 Reed

Merits:

Argued by Esther R. Sorkin for appellant and by Kenneth N. Sokoler, Deputy Attorney General, for respondent. Cause submitted.

Mallano, J. returns to the bench.

B147552 Unzicker
 v.
 Shah

Merits:

Argued by Loren Kraus for appellant and by Jerome L. Ringler for respondent. Cause submitted.

Vogel (Miriam A.), J. leaves the bench.

DIVISION ONE (Continued)

B150719 Caranfil
 v.
 Wasson

Merits:

Argued by Dumitru Caranfil, appellant in propria persona. No appearance for respondent. Cause submitted.

Vogel (Miriam A.), J. returns to the bench.

B151772 Wolf
 v.
 Sapone

Merits:

Argued by Johnathan B. Cole for appellant and by Marvin L. Rudnick for respondent. Cause submitted.

Mallano, J. leaves the bench.

B151515 Little et al.
 v.
 Kay et al.

Merits:

Argued by Douglas B. Schwab for appellants and by Eugene M. Salute for respondents. Cause submitted.

Mallano, J. returns to the bench.

B149594 People
 v.
 Carlos

Merits:

Argued by Joanna McKim for appellant. Respondent previously waived argument. Cause submitted.

DIVISION ONE (Continued)

B148574 Ortiz
 v.
 Los Angeles Police Relief Association

Merits:
Argued by C. Stephen Love for appellant and by Richard L. Lotts for respondent. Cause submitted.

Ortega, J. leaves the bench.

B140068 Friedman et al.
 v.
 Royal Maccabees Life Insurance Co., et al.
 London et al.

Merits:
Argued by Robert S. Gerstein for appellant Friedman, by Andrea M. Gauthier for appellant Royal Maccabees Life Insurance, by Lesley C. Green for appellant Chubb Life and by Jayesh Patel for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B148225 Ralph W. Fielding (Not for Publication)
 v.
 Music Center Operating Company, et al.

The judgment is reversed. Appellant(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION FOUR

B146526 People (Not for Publication)
v.
Pinchuk

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B151615 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FOUR (Continued)

B150416 People (Not for Publication)
v.
Herrera

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B149937 People (Not for Publication)
v.
Bolden

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B151588 People (Not for Publication)
v.
Bermudez

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

B151651 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Candice M.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

B150490 Yoshinoya West, Inc. (Not for Publication)
 v.
 Moreno Valley Festival et al.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
 Curry, J.

B146571 Actsys Medical, Inc. et al. (Not for Publication)
 v.
 Delson

The orders are affirmed

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

DIVISION FOUR (Continued)

B156424 Cox et al. (Certified for Publication)

v.

Superior Court, Los Angeles County
(Shields, r.p.i.)

The petition for writ of mandate is granted. The trial court is directed to vacate its order denying petitioners' motion in limine to preclude evidence of the taxability of the income disability payments, and to issue a new order granting the motion. Petitioners are entitled to recover their costs

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

B150119 Mitchell (Not for Publication)

v.

Kreitman, Jeffrey
Kreitman, Gregory

The order imposing sanctions against Jeffrey is affirmed. The cross-appeal challenging the order denying Mitchell's motion to enforce the settlement agreement is dismissed

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

B150220 Electro Rent Corporation (Not for Publication)

v.

First American Real Estate Information Services, Inc., et al.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

DIVISION FOUR (Continued)

B147331 Arcadia Police Officers' Association et al. (Not for Publication)
v.
City of Arcadia et al.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
 Curry, J.

B153477 People (Not for Publication)
v.
Andrade

For the foregoing reasons, the judgment is reversed and the matter
remanded for resentencing

Curry, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

B148772 People (Not for Publication)
v.
Sandoval

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

DIVISION FIVE

B143168 Asset Management Systems, Inc.
v.
White, Zuckerman, Warsawsky & Luna et al

Filed order denying petition for rehearing.

DIVISION SIX

B154432 In re David G. (Not for Publication)
 Santa Barbara Co. Child Protective Services
 v.
 Daneen S.

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B152161 People (Not for Publication)
v.
Gray

Accordingly, we stay the 16 month sentence on count 2. The trial court is directed to send an amended abstract of judgment to the Department of Corrections reflecting that the 16 month sentence for carrying a loaded firearm (count 2; § 12031, subd. (a)(1)) is stayed pursuant to section 654. In all other respects, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B146243 Seheult
 v.
 Jeffers, Mangels, Butler & Marmaro

Filed order modifying opinion. (No change in the judgment)